

13- R -3683

(Do Not Write Above This Line) #3078

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd
Readings
 Consent V Vote RC Vote

A RESOLUTION

BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO CONSENT TO AN ASSIGNMENT AND ASSUMPTION OF THE CONSOLIDATED RENTAL CAR FACILITY AGREEMENT FROM BACH AUTO GROUP INC., A GEORGIA CORPORATION, TO AVALON GLOBAL GROUP INC., A NEVADA CORPORATION; AND FOR OTHER PURPOSES.

ADOPTED BY
NOV 04 2013
COUNCIL

Committee Transportation
Date Oct. 30, 2013
Chair CP
Action Fav, Adv, Hold (see rev. side)
Other _____
Members Debra Roberts
A. B...
Shirley L. Moore
Carla Smith
Refer To _____

Committee _____
Date _____
Chair _____
Action Fav, Adv, Hold (see rev. side)
Other _____
Members _____
Refer To _____

Committee _____
Date _____
Chair _____
Action Fav, Adv, Hold (see rev. side)
Other _____
Members _____
Refer To _____

Committee _____
Date _____
Chair _____
Action Fav, Adv, Hold (see rev. side)
Other _____
Members _____
Refer To _____

CERTIFIED
NOV 04 2013
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
NOV 04 2013
Florida Daphnie Johnson
MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED
NOV 04 2013
[Signature]
MAYOR

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred _____
Referred To: _____
Date Referred _____
Referred To: _____
Date Referred _____
Referred To: _____



A RESOLUTION

BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO CONSENT TO AN ASSIGNMENT AND ASSUMPTION OF THE CONSOLIDATED RENTAL CAR FACILITY AGREEMENT FROM BACH AUTO GROUP INC., A GEORGIA CORPORATION, TO AVALON GLOBAL GROUP INC., A NEVADA CORPORATION; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (“City”) entered into that certain Consolidated Rental Car Facility Lease Agreement (“Agreement”) dated September 14, 2009, with Burks, Williams Young & Moore, LLC (“Burks”) to operate and provide rental car services from the Consolidated Rental Car Facility at Hartsfield-Jackson Atlanta International Airport to the public; and

WHEREAS, Burks assigned its right title and interest in and to the Agreement to Bach Auto Group, Inc. (“Bach”), a Georgia corporation, on or about February 18, 2010; and

WHEREAS, Bach is winding up its business and seeks to assign the Agreement to Avalon Global Group, Inc. (“Avalon”), a Nevada corporation, the corporate holding company of Avis Car Rental holding and operating the Payless Car Rental brand, as part of a larger corporate Settlement and Acquisition Agreement between Avalon and Burks; and

WHEREAS, Bach is currently in payment default under the Agreement; and

WHEREAS, as a condition of the Assignment and Assumption and prior to the City’s required consent thereto, Avalon shall make payment in full of the outstanding payment obligations due to the City under the Agreement; and

WHEREAS, pursuant to Section 2.5 of the Agreement, Bach must obtain the City’s consent to assign the Agreement to Avalon and seeks the City’s consent to do so.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, that the Mayor is authorized on behalf of the City of Atlanta to consent to the assignment and assumption of the Agreement from Bach to Avalon upon the payment in full of the outstanding payment obligation due to the City under the Agreement; provided Bach remains primarily liable for all obligations under the Agreement.

BE IT FURTHER RESOLVED that the City Attorney is directed to prepare a letter of consent and any other necessary documentation to evidence the City’s consent for execution by the Mayor.

AND FINALLY BE IT RESOLVED that said consent shall not become binding upon the City, and the City shall incur no obligation or liability until same has been signed by the Mayor, approved as to form by the City Attorney and delivered to Avalon.